



[13101/48202]

SFR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Türck et al.
Serial No. : 10/732,859
Filed : December 9, 2003
For : CONTROL OF GENE EXPRESSION IN EUKARYOTES
Examiner : Jennifer Ann Dunston
Art Unit : 1636
Confirmation No. : 9112

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

Date:

Signature:

RESPONSE

S I R:

In response to the August 9, 2007 communication requesting an election of a single promoter of claim 4, applicants elect without traverse prosecution of the CaMV 35S promoter of claim 4. Applicants respectfully request reconsideration of this application in light of this election.

No extension of time fee is required. In the event any fee is required associated with this communication, applicants authorize the Commissioner to charge any such fee to the deposit account of Kenyon & Kenyon LLP, deposit account number 11-0600.

Prompt and favorable reconsideration is respectfully requested.

Respectfully submitted,
KENYON & KENYON LLP

Date:

By:

Anthony Giaccio
Reg. No. 39,684
One Broadway
New York, New York 10004
(212) 425-5288
CUSTOMER NO. 26646